

Assembly Bill No. 865

CHAPTER 425

An act to amend Sections 707, 736, and 770 of the Harbors and Navigation Code, relating to vessels.

[Approved by Governor September 30, 2013. Filed with
Secretary of State September 30, 2013.]

LEGISLATIVE COUNSEL'S DIGEST

AB 865, Eggman. Yacht and Ship Brokers Act: licensing.

Existing law requires the Division of Boating and Waterways to publish or cause to be published on or before July 1 of each year a directory of licensed brokers and salespersons and to charge and collect the fees prescribed by the Yacht and Ship Brokers Act in accordance with a specified schedule. Existing law authorizes the division to make rules and regulations to carry out the provisions of the act.

This bill would require the division to post the directory on its Internet Web site. The bill would require the division to adopt regulations setting forth the fees to be charged and collected under the act for, among other things, exams, licensing, renewals, and other services provided by the division under the act, and would require the fees to be sufficient to reimburse the division for the reasonable costs of implementing the act. The bill would require that those fees be charged and collected under the act until such time that the division adopts those regulations.

The people of the State of California do enact as follows:

SECTION 1. Section 707 of the Harbors and Navigation Code is amended to read:

707. The division shall publish or cause to be published on or before July 1 of each year a directory of licensed brokers and salespersons and shall post the directory on its Internet Web site. The division may publish such additional information as it deems expedient and may also issue a periodical bulletin concerning affairs arising under the administration of this article.

SEC. 2. Section 736 of the Harbors and Navigation Code is amended to read:

736. (a) The division shall adopt regulations setting forth the fees to be charged and collected under this article. The fees shall be sufficient to reimburse the division for the reasonable costs of implementing this article.

(b) A criminal records investigation fee shall be collected for both a salesperson's and broker's license in an amount determined by the

Department of Justice, or by any other state or federal custodian of criminal records from which the division has requested information concerning an applicant's criminal record, not to exceed the amount needed to reimburse the division for conducting the criminal records investigation.

(c) The following fees shall apply until such time that the division adopts regulations pursuant to subdivision (a):

- (1) Two hundred dollars (\$200) for each original broker's license.
- (2) Seventy-five dollars (\$75) per year for the renewal of an original broker's license.
- (3) One hundred dollars (\$100) for each original salesperson's license.
- (4) Fifty dollars (\$50) per year for the renewal of an original salesperson's license.
- (5) Twenty-five dollars (\$25) for a salesperson's temporary license.
- (6) Twenty-five dollars (\$25) for each license obtained by a broker for a branch office and for each renewal thereof.
- (7) Ten dollars (\$10) for each transfer of a salesperson's license for each change of employment.
- (8) Ten dollars (\$10) for each duplicate license.
- (9) Ten dollars (\$10) for each substitution of a name in the license of a corporation or a partnership.
- (10) Ten dollars (\$10) for the granting of each certificate of convenience under Section 727.
- (11) Twenty-five dollars (\$25) for each examination.

SEC. 3. Section 770 of the Harbors and Navigation Code is amended to read:

770. The division shall make rules and regulations to carry out the provisions of this article, including adopting a schedule to establish reasonable fees that cover the division's cost for exams, licensing, renewals, and other services provided by the division under this article.